

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24693 of 2017

Arising Out of PS.Case No. -62 Year- 2017 Thana -KUCHAIKOTE District- GOPALGANJ

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1. Subash Bhagat, Son of Late Janki Bhagat.

2. Anant Bhagat @ Bhaironath, son of Satan Bhagat,

Both are Resident of Village- Mathiya Hata, P.S.- Kuchaikote, District-
Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ranjeet Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-06-2017 Heard Sri Ranjeet Kumar Pandey, learned counsel for
the petitioners, and Sri Yogendra Kumar Singh, learned A.P.P. for
the State.

Let it be made clear that since the learned A.P.P. who
has been assigned the brief is not appearing, this court has
requested Sri Yogendra Kumar Singh, learned A.P.P., to assist the
Court.

The petitioners are seeking anticipatory bail in
Kuchaikote P.S. Case No. 62/2017 registered under Sections 147,
148, 341, 323, 324, 307 and 504 of the Indian Penal Code.

Learned counsel for the petitioners would submit that



the petitioners and the informant are own Pattidars / co-sharers and from perusal of the First Information Report, it would appear that the allegation of giving blow on the head of the son of the informant by an iron rod is on Shivji Bhagat. He refers the injury report of Satyendra Bhagat which shows one injury on his head which was found grievous. He further submits that so far as these two petitioners are concerned, there is no specific allegation of assault against them and the allegations are omnibus being family members. He further submits that the injury report of Deonti Devi would show that the injuries reported are swelling and pain and bruises on the left side of the chest which are said to be simple in nature.

Learned A.P.P. opposed the prayer for anticipatory bail, however, the submission of the petitioner that there is no specific allegation against these two accused and the present F.I.R. was lodged after nine days from the date of the alleged occurrence and that the petitioners are own Pattidars having case and counter-case against each other, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, the petitioners, namely, Subash Bhagat and Anant Bhagat @ Bhairnonnath, in the event of their arrest or surrender before the learned court below within a period of four



weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. VII, Gopalganj in Kuchaikote P.S. Case No. 62/17, subject to the conditions under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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